
Public Notice

Applicant:

Sandy Pond Channel Maintenance Associati
Attn: Ms. Cathy Goodnough

Date:

Published: July 16, 2003

Expires: August 15 2003

**U.S. Army Corps
of Engineers**

In Reply Refer To:

Buffalo District CELRB-TD-R RE: 2003-01294(0) Section: NY 10 and 404

Application for Permit under Authority of
Section 10 of the Rivers and Harbors Act of 1899 and
Section 404 of the Clean Water Act (33 U.S.C. 1344).

The Sandy Pond Channel Maintenance Association, P.O. Box 686, Sandy Creek, New York, 13145, has applied for a Department of the Army permit to dredge clean sand material from the entrance channel between Lake Ontario and North Sandy Pond, and to place this dredged sand within the littoral drift system of Lake Ontario, starting 1000 feet north and south of the channel entrance, in the Town of Sandy Creek in Oswego County, New York.

The applicant proposes to use a hydraulic dredging system to remove a maximum of about 12,000 cubic yards of sand per year from the open channel area between Lake Ontario and North Sandy Pond. The dredged sand shall be placed, by piping running through the waterway, within the near-shore littoral drift system in Lake Ontario, starting 1000 feet both north and south of the channel entrance. The applicant is requesting a permit to perform this work for a period of ten years.

The material to be dredged from the entrance channel and which shall be discharged into the lake, consists of clean sand. Since this is the case, the material to be dredged has not been tested for contaminants, per the regulations at 40 CFR Section 230.60, which states that material composed primarily of sand is not required to undergo chemical testing. In addition, the regulations state that testing is not required "where the discharge site is adjacent to the excavation site and subject to the same sources of contaminants, and materials at the two sites are substantially similar."

The purpose of the dredging between Lake Ontario and North Sandy Pond, is to deepen the entrance channel to the pond for boats to use the area. The purpose of discharging the dredged sand into the Lake Ontario near-shore littoral drift system is to provide beach nourishment at these areas.

Location and details of the above described work are shown on the attached maps and drawings.

Questions pertaining to the work described in this notice should be directed to Mel R. Schroeder, who can be contacted by calling (716) 879-4307, or by e-mail at: mel.r.schroeder@usace.army.mil

The applicant has certified that the proposed activity complies with New York's approved Coastal Zone Management Program and will be conducted in a manner consistent with that program. Any comments on the consistency of the proposed activity with New York State's Coastal Zone Management Program should be forwarded to:

Ms. Laurissa Parent
New York Department of State
Division of Coastal Resources
Consistency Coordinator
Coastal Management Program
41 State Street
Albany, New York 12231-0001
Telephone (518) 486-3200

The following authorization(s) may be required for this project:

Water Quality Certification (or waiver thereof) from the New York State Department of Environmental Conservation.

There are no registered historic properties or properties listed as being eligible for inclusion in the National Register of Historic Places that will be affected by this project.

In addition, available evidence indicates that the work proposed may affect one species proposed or designated by the U.S. Department of the Interior as threatened or endangered, and it may affect the critical habitat of any such species. By this Public Notice, the United States Fish and Wildlife Service is being given notice that the project site is located between Lake Ontario and North Sandy Pond, an area that has been designated as Critical Habitat for the Endangered Species of the Piping Plover.

This notice is promulgated in accordance with Title 33, Code of Federal Regulations, parts 320-330. Any interested party desiring to comment on the work described herein may do so by submitting their comments, in writing, so that they are received no later than 4:30 pm on the expiration date of this notice.

Comments should be sent to the U. S. Army Corps of Engineers, 1776 Niagara Street, Buffalo, New York 14207-3199, and should be marked to the attention of Mel R. Schroeder, or by e-mail at: mel.r.schroeder@usace.army.mil. A lack of response will be interpreted as meaning that there is no objection to the work as proposed.

Comments submitted in response to this notice will be fully considered during the public interest review for this permit application. All written comments will be made a part of the administrative record which is available to the public under the Freedom of Information Act. The Administrative Record, or portions thereof may also be posted on a Corps of Engineers internet web site. Due to resource limitations, this office will normally not acknowledge the receipt of comments or respond to individual letters of comment.

Any individual may request a public hearing by submitting their written request, stating the specific reasons for holding a hearing, in the same manner and time period as other comments.

Public hearings for the purposes of the Corps permit program will be held when the District Commander determines he can obtain additional information, not available in written comments, that will aid him in the decision making process for this application. A Corps hearing is not a source of information for the general public, nor a forum for the resolution of issues or conflicting points of view (witnesses are not sworn and cross examination is prohibited). Hearings will not be held to obtain information on issues unrelated to the work requiring a permit, such as property ownership, neighbor disputes, or the behavior or actions of the public or applicant on upland property not regulated by the Department of the Army. Information obtained from a public hearing is given no greater weight than that obtained from written comments.

Therefore, you should not fail to make timely written comments because a hearing might be held.

The decision to approve or deny this permit request will be based on an evaluation of the probable impact, including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among these are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Jeffrey M. Hall
Lieutenant Colonel, Corps of Engineers
District Engineer

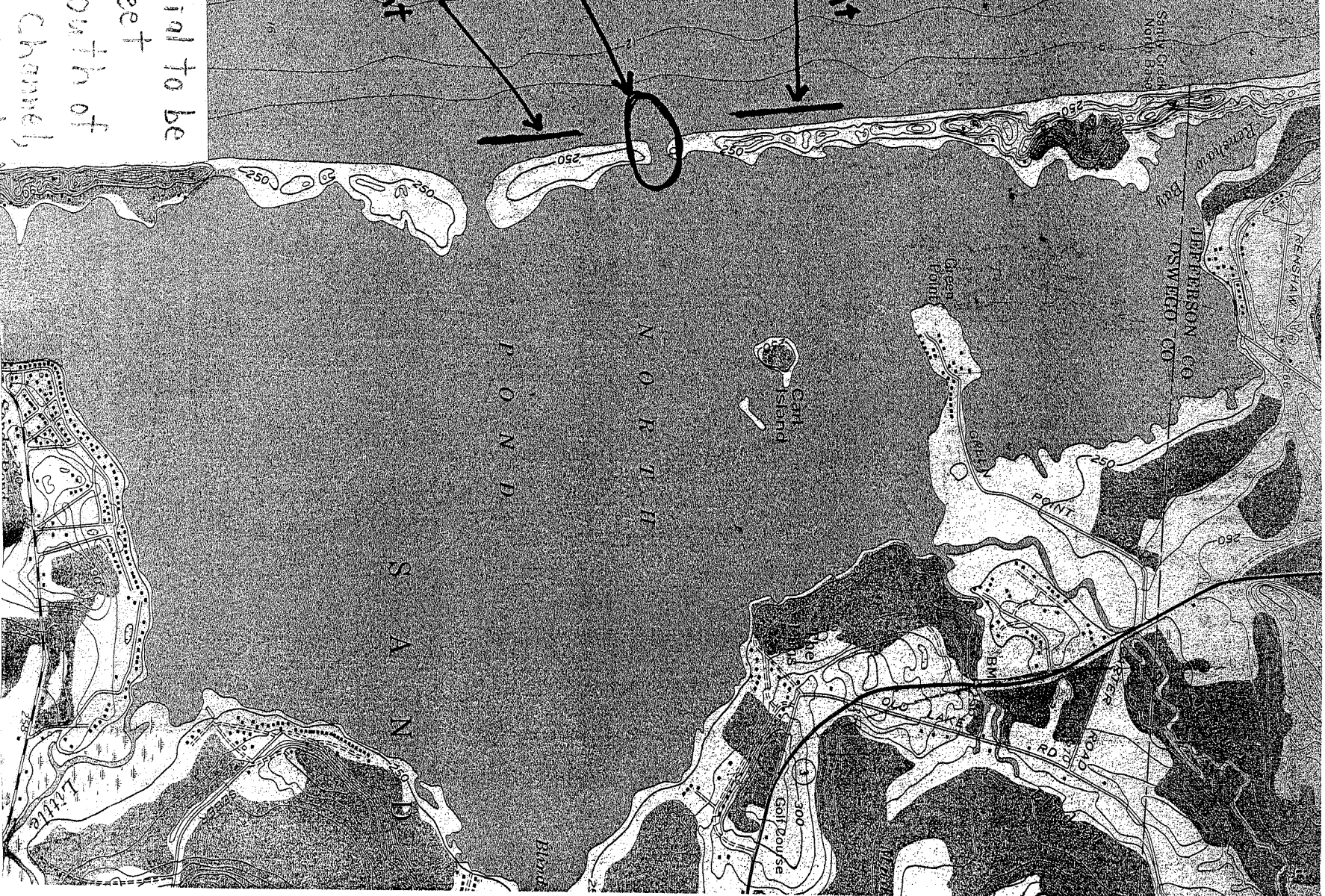
NOTICE TO POSTMASTER: It is requested that this notice be posted continuously and conspicuously for 30 days from the date of issuance.

Dredged
Material
Placement
Site

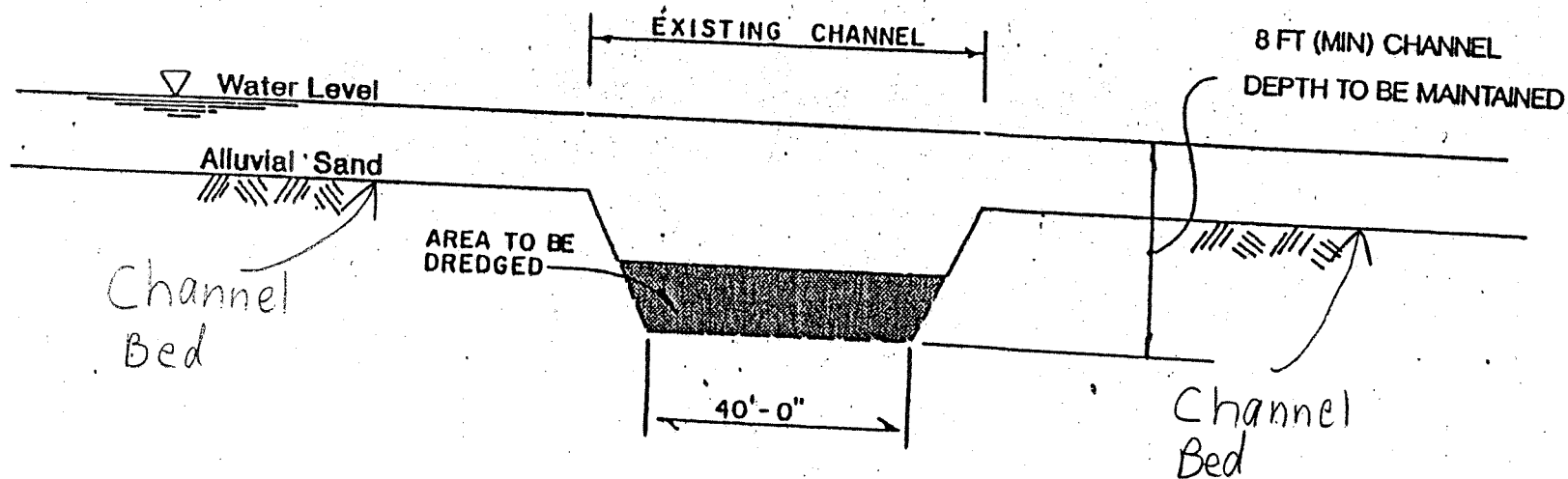
North
Site

Dredged
Material
Placement
Site

Dredged Material to be
Placed 1000 Feet
North and South of
the Entrance Channel,
within the Littoral
Drift System of
Lake Ontario



SANDY POND CHANNEL MAINTENANCE
ASSOCIATION
D/A Processing No. 2003-01294(0)
Oswego County, New York Quad: ELLISBURG
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PROPOSED DREDGING SCHEME

Estimated Length of Channel: 2,200 Feet
 Estimated Quantity of Alluvial Sand to be Dredged: Approximately 12,000 Cubic Yards
 Existing Channel Depth (Measured in Field on ~~4/24/03~~): Ranges Between ~~2'~~ to 6'

Typical Cross-Section
 View of Proposed
 Dredging Area (Not
 to Scale)

SANDY POND CHANNEL MAINTENANCE
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